

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed February 9, 2005. Upon entry of the amendments in this response, claims 1 - 23 remain pending. In particular, Applicants have added claim 23, and have amended claims 1, 10, 17 and 21. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Objections to the Specification

The Office Action indicates that the disclosure is objected to because of the inclusion of an embedded hyperlink. As set forth above, Applicants have amended the specification and respectfully asserts that the objection has been rendered moot.

Objections to the Claims

The Office Action indicates that claims 17 and 21 are objected to because of various informalities. As set forth above, Applicants have amended these claims and respectfully asserts that the objections have been rendered moot.

Claim Rejections - 35 U.S.C. § 102(b)

The Office Action indicates that claims 1-3 and 7-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JDF Specification Draft Spiral 4.0. Applicants respectfully traverse this rejection.

In this regard, Applicants respectfully refer the Examiner's attention to the JDF Specification Draft Spiral 4.0 and, specifically, to Section 4.4 Spawning and Merging (page 92 *et seq.*). As disclosed therein (*see* Figure 4.4 on page 93 and accompanying text), copying of a job ticket is performed to permit distributed and/or parallel

processing of a job ticket, *i.e.* multiple job tickets are produced during the spawning phase. This is in direct contrast to the limitations recited in Applicants' amended claims.

With respect to claim 1, Applicants have amended this claim to recite:

1. An apparatus that controls access to a job ticket, wherein the job ticket relates to a job request to be executed by one or more processors coupled to a communications network, the apparatus comprising:
 - a work flow controller coupled to the communications network, wherein the work flow controller is capable of defining a work flow corresponding to the job request, and capable of defining the job ticket, and wherein the work flow comprises one or more branches; and
 - a job ticket service that is capable of storing job ticket and creating a job ticket reference, the job ticket service being further capable of providing the job ticket reference to multiple processors such that the multiple processors use the job ticket reference to access the stored job ticket instead of being provided with a copy of at least a portion of the job ticket,***
 - wherein the job ticket comprises a framework specifying the one or more branches, and wherein the job ticket service locks a branch when the branch is accessed by a processor.

(Emphasis Added).

Applicants respectfully assert that the JDF Specification Draft Spiral 4.0 is legally deficient for the purpose of anticipating claim 1. In particular, Applicants respectfully asserts that the JDF Specification Draft Spiral 4.0 does not teach or otherwise disclose at least the features/limitations emphasized above in claim 1. Therefore, Applicants respectfully request that the rejection of claim 1 be removed and that claim 1 be placed in condition for allowance.

Since claims 2 – 3 and 7 - 9 are dependent claims that incorporate the limitations of claim 1, Applicant respectfully requests that these claims also be placed in condition for allowance. Additionally, these claims recite other features and combinations thereof that can serve as an independent basis for patentability.

With respect to claim 10, Applicants have amended that claim to recite:

10. A method for controlling access to a stored job ticket by locking branches of the job ticket, wherein the job ticket relates to a job to be executed by one or more processors in an electronic network, the method comprising:

identifying a branch of the job ticket;
receiving a branch access request from a processor, *the branch access request comprising a job ticket reference;*
retrieving the stored job ticket using the job ticket reference provided by the processor;
providing the processor with access to the branch; and
locking the branch.

(Emphasis Added).

Applicants respectfully assert that the JDF Specification Draft Spiral 4.0 is legally deficient for the purpose of anticipating claim 10. In particular, Applicants respectfully assert that the JDF Specification Draft Spiral 4.0 does not teach or otherwise disclose at least the features/limitations emphasized above in claim 10. Therefore, Applicants respectfully request that the rejection of claim 10 be removed and that claim 10 be placed in condition for allowance.

Since claims 11 - 13 are dependent claims that incorporate the limitations of claim 10, Applicants respectfully request that these claims also be placed in condition for allowance. Additionally, these claims recite other features and combinations thereof that can serve as an independent basis for patentability.

Claim Rejections - 35 U.S.C. § 103(a)

The Office Action indicates that claims 4, 5 and 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the JDF Specification in view of *Silberschatz*. The Office Action further indicates that claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the JDF Specification as applied to claim 1, and further in view of *McNally*. The Office Action also indicates that claims 17-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the JDF

Specification and further in view of *Barkley*. Applicants respectfully traverse the rejections.

With respect to the rejections of claims 4 - 6 and 14 - 16, Applicants respectfully assert that the cited combinations are legally deficient for the purpose of rendering these claims unpatentable. In particular, independent claims 1 and 10 patentably define over the JDF Specification because that reference does not teach or reasonably suggest at least the limitations emphasized above. The respective secondary references of *Silberschatz* and *McNally* do not teach or reasonably suggest these limitations either. Therefore, Applicants respectfully request that these claims be placed in condition for allowance.

With respect to the rejection of claim 17, Applicants have amended this claim to recite:

17. A method for controlling access to a stored job ticket, wherein a plurality of processors compete for selection to perform tasks related to the job ticket, said method comprising:

defining one or more tasks to complete the job ticket, wherein the job ticket comprises a node-tree having a plurality of branches, and wherein each branch of the plurality of branches includes one or more defined tasks;

receiving a request from one or more of the plurality of processors to access one or more of the plurality of branches, ***each said request comprising a job ticket reference;***

retrieving the stored job ticket using the job ticket reference provided by each of the one or more of the plurality of processors;

determining if a processor is currently accessing one or more of the plurality of branches;

for branches not being accessed, determining if the requesting one or more processors is authorized to access the branches;

for branches for which access is authorized, copying information from the branches to the authorized processors; and locking the accessed branches.

(Emphasis Added).

Applicants respectfully assert that the JDF Specification and *Barkley*, either individually or in combination, are legally deficient for the purpose of rendering claim

17 unpatentable. In particular, Applicants respectfully assert that the cited references do not teach or reasonably suggest at least the features/limitations emphasized above in claim 17. Therefore, Applicants respectfully request that the rejection of claim 17 be removed and that claim 17 be placed in condition for allowance.

Since claims 18 - 20 are dependent claims that incorporate the limitations of claim 17, Applicants respectfully request that these claims also be placed in condition for allowance. Additionally, these claims recite other features and combinations thereof that can serve as an independent basis for patentability.

With respect to the rejection of claim 21, Applicants have amended this claim to recite:

21. A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for controlling access to a stored job ticket, wherein a plurality of processors compete for selection to perform tasks related to the job ticket, the method steps, comprising:
defining one or more tasks to complete the job ticket, wherein the job ticket comprises a node-tree having a plurality of branches, and wherein each branch of the plurality of branches includes one or more defined tasks;
receiving a request from one or more of the plurality of processors to access one or more of the plurality of branches, ***each said request comprising a job ticket reference;***
retrieving the stored job ticket using the job ticket reference provided by each of the one or more of the plurality of processors;
determining if a processor is currently accessing one or more of the plurality of branches;
for branches not being accessed, determining if the requesting one or more processors is authorized to access the branches;
for branches for which access is authorized, copying information from the branches to the authorized processors; and
locking the accessed branches.

(Emphasis Added).

Applicants respectfully assert that the JDF Specification and *Barkley*, either individually or in combination, are legally deficient for the purpose of rendering claim 21 unpatentable. In particular, Applicants respectfully assert that the cited references

do not teach or reasonably suggest at least the features/limitations emphasized above in claim 21. Therefore, Applicants respectfully request that the rejection of claim 21 be removed and that claim 21 be placed in condition for allowance.

Since claim 22 is a dependent claim that incorporates the limitations of claim 21, Applicants respectfully request that this claim be placed in condition for allowance. Additionally, this claim recites other features and combinations thereof that can serve as an independent basis for patentability.

Double Patenting Rejection - 35 U.S.C. § 101

The Office Action indicates that claims 41 and 46 have been rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 1 of U.S. Patent Application Serial No. 09/873,196 ("the '196 application"). Applicants respectfully traverse the rejection. In particular, as best understood by Applicants, the rejection is provisional in nature, in that the mentioned application has not yet issued. Regardless, Applicants have amended the claims as set forth above and respectfully asserts that any provisional double patenting rejection has been rendered moot.

Newly Added Claims

Upon entry of the amendments in this response, Applicants have added new claim 23. Applicants respectfully assert that this claim is in condition for allowance. Specifically, this claim is a dependent claim that incorporates the features/limitations of claim 1, the allowability of which is set forth above. Additionally, this claim recites other features that can serve as an independent basis for patentability.

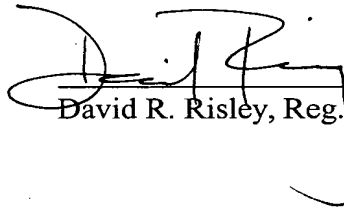
Cited Art of Record

The cited art of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


David R. Risley, Reg. No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

4/28/05
Stephanie Riley
Signature